

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHARLES DEAN VIOX,

Plaintiff,

v.

NANCY PORTER et al.,

Defendants.

3:14-cv-00357-MMD-WGC

ORDER

I. DISCUSSION

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections (“NDOC”), has filed an application to proceed *in forma pauperis* and has submitted an affidavit with exhibits. (ECF No. 1, 1-1). Plaintiff has not filed a complaint in this matter.

Pursuant to Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff thirty (30) days from the date of this order to submit a complaint to this Court. The Court will defer a decision on the application to proceed *in forma pauperis* until Plaintiff submits a proper initiating document for this case.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that a decision on the application to proceed *in forma pauperis* (ECF No. 1) is deferred.

IT IS FURTHER ORDERED that Plaintiff shall submit a complaint to this Court within thirty (30) days of the date of this order.

IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the

1 approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The Clerk
2 of the Court shall also send Plaintiff a copy of his affidavit and exhibits (ECF No. 1-1).

3 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
4 dismissal of this action may result.

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6 DATED: This 10th day of July, 2014.

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United States Magistrate Judge